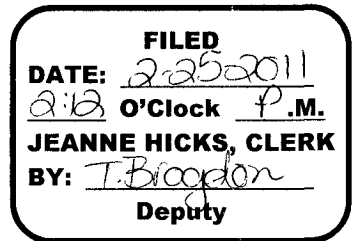


IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF YAVAPAI



DIVISION PRO TEM B

JEANNE HICKS, CLERK

HON. WARREN R. DARROW

BY: T. Brogdon/R. Hagen, Deputy Clerks

CASE NO. V1300CR201080049

DATE: February 25, 2011

TITLE:

COUNSEL:

STATE OF ARIZONA,

Yavapai County Attorney

Sheila Polk/Bill Hughes,

(via OnBase)

(For Plaintiff)

(Plaintiff)

v.

JAMES ARTHUR RAY,

Thomas K. Kelly,

(via electronic mail)

(Co-Counsel for Defendant)

(Defendant)

Luis Li/Brad Brian/Truc Do/Miriam Seifter

MUNGER TOLLES & OLSON LLP,

(via electronic mail)

(Co-Counsel for Defendant, *Pro Hac Vice*)

HEARING ON:
ORAL ARGUMENT/EVIDENTIARY
REGARDING CAMERA COVERAGE

NATURE OF PROCEEDINGS

COURT REPORTER
Mina Hunt

START TIME: 1:34 p.m.

APPEARANCES:

Sheila Polk, Counsel for State

Bill Hughes, Co-Counsel for State

Detective Ross Diskin, Case Agent

James Arthur Ray, Defendant

Tom Kelly, Co-Counsel for Defendant

Luis Li, Co-Counsel for Defendant

Truc Do, Co-Counsel for Defendant

Miriam Seifter, Co-Counsel for Defendant

Steve Paterson, Defense Consultant

Victim Services Representative

David J Bodney, Counsel for KPNX Broadcasting Co, TruTV and In Session

Chris Moeser, Counsel for KPNX Broadcasting Co, TruTV and In Session

Counsel for State presents Oral Argument regarding live media coverage and placement of microphones at Counsel tables during the Trial

The Court recognizes a camera is present in the Courtroom and asks there be no photography today

Counsel for Defendant joins in the request that there not be a microphone at Counsel tables, this includes both media microphone as well as the Courts microphone.

Court and Counsel discuss Rule 122

Counsel for KPNX Broadcasting Company, Phoenix Newspapers, Inc. and In Session presents Oral Argument

regarding live coverage and microphones. Counsel provides Court and Counsel for State with DVD in open Court regarding In Session TV.

The Court advises it has considered the 7 factors listed in Rule 122 of the Rules of Supreme Court. The Court **finds** that any likelihood of harm from one or more of these factors, does not outweigh the benefit to the public of the camera coverage. **IT IS ORDERED** photographic and live camera coverage will be permitted in accordance with this Court's original ruling on the issue.

The Court directs the Attorney's to inform witnesses they are not to watch any television coverage of this proceeding and to avoid any exposure to accounts of this Trial

The Court advises with regard to victims rights and particular witnesses, Rule 122(d) has to be addressed in person. There would be no camera coverage or electronic coverage of a hearing to determine a victim representative witness's request not to be on camera.

The Court addresses a previous Order that no cameras are permitted in the Courthouse. The Court expands this Order to include cameras not be permitted from outside the glass to the inside either.

The Court calls attention to Rule 122(p) and states that that aspect of decorum is important.

With regard to microphones, the Court will deactivate the second microphones at Counsel tables and **IT IS ORDERED** allowing one microphone on each Counsel table.

Counsel for State requests the family members and the State's agent who will be called as a witness be exempt from the Courts Order, and suggests the Attorneys contact all witnesses to let them know they cannot watch any coverage of the Trial. Counsel for Defendant submits to Counsel for State's request

The Court advises that the victim representatives who will be present, would be exempt from the Rule of Exclusion.

END TIME: 2:12 p.m.

cc Gallagher & Kennedy, P C , Counsel for Shore Family (e)
Murphy, Schmitt, Hathaway & Wilson, PLLC, Co-Counsel for Brown Family (e)
Stone & Magnanini, Co-Counsel Brown Family (e)
Aspey, Watkins & Diesel, PLLC, Counsel for Neuman Family (e)
Steptoe & Johnson, Counsel for KPNX Broadcasting Company, TruTV and In Session (e)
Perkins, Coie, Brown & Bain, Counsel KTVK-TV (e)
Division PTB (e)
Victim Services (e)
Court Administration
Customer Service Supervisor, Verde